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**SUBJECT: City of Riverside Comment Regarding the Preliminary Discussion  
Draft of Updates to the CEQA Guidelines Implementing Senate Bill  
743 (August 2014)**

Mr. Calfee:

The City of Menifee appreciates the opportunity to comment on the Preliminary Discussion Draft of the updated CEQA Guidelines issued by the Governor's Office of Planning and Research on August 8<sup>th</sup>, 2014. The updated guidelines required by Senate Bill 743 establish Vehicle Miles Traveled (VMT) as the preferred alternative to Level of Service (LOS) analysis when evaluating transportation impacts.

Because Level of Service is derived from operational delay to vehicles, the shift to VMT has been cited as an attempt to increase consideration of those who use alternative modes of travel such as pedestrians, bicyclists, and transit riders. The Governor's Office of Planning and Research (OPR) further notes that roadways improved via mitigations to Level of Service often attract 'latent demand' and thereby increase the amount of motorist traffic beyond what was predicted. Mitigations to reduce Vehicle Miles Traveled are anticipated by OPR to reduce the amount of cars on the road and provide a better environment for alternative modes of travel.

The City of Menifee supports OPR's goals behind its approach to reframing transportation analysis, but has the following comments:

- OPR asserts that transit-served areas are, "more likely to be familiar with tools that estimate vehicles miles traveled," and thus ready to implement the new CEQA Guidelines within the upcoming few months. This assumption is likely inapplicable to the many agencies that contain at least one Transit Priority Area, even relatively large agencies such as Menifee are not prepared to apply new procedures in the short-term future, despite the fact that many future projects within our City may qualify as being within a transit priority area. Time and staffing levels beyond what are currently available must be allocated to establish thresholds of significance, alter the agency's TIA requirements, and arrive at a methodology/procedure for VMT analysis. Most likely, thresholds established will be challenged by those preparing studies, and additional time will be needed to fine-tune requirements during the initial implementation. Menifee suggests that agencies are given the option to adopt OPR's guidelines in 2016.

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- Analysis of Vehicle Miles Traveled requires use of either a traditional Travel Demand Model or a 'Sketch' Model- which are two significantly different methods of calculating VMT. OPR has provided a list of potential sketch models for use, but these models must be completed in detail for each project to achieve a level of detail that fairly categorizes each project's impact on VMT. Because many Menifee residents commute via the freeway system, impacts to VMT must take into account long-range trips. These long-range trips can only be accounted for if models used in analysis contain detailed regional information. The effort required by public agencies to provide data for each sketch model and to review these sketch models would be substantial. Use of a Travel Demand Model would require that agencies create a model, pay a consultant to maintain an up-to-date county wide model, or work to maintain updated versions of existing regional models.

Level of Service analysis is currently governed by use of the Highway Capacity Manual (HCM), published by the Transportation Research Board as an industry-wide standard. While many software platforms are available to utilize the calculations provided within the HCM, the HCM provides a standardized methodology and set of service levels by which traffic operations can be assessed. There is no such standardized methodology or established service scale for Vehicle Miles Traveled. The City of Menifee requests that OPR establishes or selects a standardized and defensible low-cost methodology for determining Vehicle Miles Traveled. OPR is given this option in Public Resources Code § 21099 (b)(1) (Page 2 of Discussion Draft).

- Travel Demand Models capable of predicting long-range VMT will likely not be sensitive enough to detect a measurable change in VMT for a given project. Regional Travel Demand Models are not established by loading individual projects but rather Societal Economic Data for large areas of land. It will be difficult to assert whether or not a given project is already included within a model's Traffic Analysis Zones.
- OPR has the option to retain Level of Service as a metric for transportation impact outside of transit priority areas. Because not all areas are planned in a way that VMT can be effectively reduced compared to a regional average, VMT should be an optional tool outside of Transit Priority Areas.
- While agencies are not precluded from applying local general plan policies regarding levels of service and traffic operations, the improvements traditionally enacted to mitigate level of service deficiencies are behind OPR's decision to use VMT as a metric. In most cases, conditioning improvements to operations will now directly conflict with OPR's guidelines. How will improvements required by a general plan outside of CEQA impact a project's status or adherence to CEQA? How does a public agency respond to potential accusations that conditioned improvements conflict with the intent of CEQA mitigations?
- The preliminary discussion draft does not establish a way to measure the effectiveness of proposed mitigations. There must be a direct link between mitigations and VMT reductions to establish a fair share fees. Calculating the impact of some mitigations will require the use of a detailed activity-based travel demand model, while others may be technically impossible to include in a model and will require the engineer to estimate VMT reduction solely through engineering judgment. How will all



VTM oriented mitigations be fairly assessed in software?

- Mitigations to VMT can include small-scale office policies (such as carpool programs) but many will need to be large-scale infrastructure or transit programs. It may take money from several projects to directly reduce the impacts on VMT for even a single project, whereas a single project can often mitigate the entirety of its impact on LOS. Abandoning LOS as a transportation assessment tool means reducing the effectiveness of fees per development.
- OPR's provided trip-based VMT Calculation in Appendix D does not take into account the size of the project. This is important because calculating VMT per capita without representing the number of dwelling units, employees, etc. will result in a proposed project of 100 dwelling units having the same calculated impact as a proposed project of 1000 dwelling units at the same location.

The calculation is as follows:

$$100 \text{ dwelling units} \times 9.52 \frac{\text{daily trips}}{\text{dwelling unit}} = 952 \text{ daily trips}$$

$$952 \text{ daily trips} \times 10 \frac{\text{miles}}{\text{daily trip}} = 9,520 \text{ daily VMT}$$

$$\frac{9,520 \text{ daily VMT}}{100 \text{ dwelling units}} = 95.2 \frac{\text{daily VMT}}{\text{dwelling unit}}$$

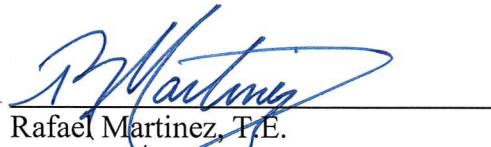
It is apparent by observation that both multiplying and dividing by 100 dwelling units negates the size of the project. The same result is obtained without factoring in the number of dwelling units as demonstrated below:

$$9.52 \frac{\text{daily trips}}{\text{dwelling unit}} * 10 \frac{\text{miles}}{\text{daily trips}} = 95.2 \frac{\text{daily VMT}}{\text{dwelling unit}}$$

Any questions can be directed to Rafael Martinez, Assistant Public Work Director for the City of Menifee at 951.672.6777 or [rmartinez@cityofmenifee.us](mailto:rmartinez@cityofmenifee.us).

Sincerely,

  
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